

EXHIBIT 3

1 Volume I

Pages: 1 - 242

2 Exhibits: 1 - 27

3 UNITED STATES DISTRICT COURT

4 DISTRICT OF MASSACHUSETTS

5 No. 04-CV-11948-RGS

6 SEYED MOHSEN HOSSEINI-SEDEHY,

7 Plaintiff

8 vs.

9 ERIN T. WITHINGTON and the CITY

10 OF BOSTON,

11 Defendants

12
13 DEPOSITION OF ERIN T. WITHINGTON

14 Thursday, March 31, 2005

15 10:00 a.m. - 4:32 p.m.

16 SMITH & DUGGAN LLP

17 55 Old Bedford Road

18 Lincoln, Massachusetts 01773-1125

19
20
21
22 FARMER ARSENAULT BROCK LLC

23 617.790.4404 FAX 617.728.4403

24 Reporter: Cynthia C. Henderson/RPR

6 (Pages 18 to 21)

Erin T. Withington - March 31, 2005

<p>18</p> <p>1 had some complaints, and we ended the interview at 2 that point.</p> <p>3 Q. Now, during this interview did you take 4 notes?</p> <p>5 A. Yes, I did.</p> <p>6 Q. And what was the next thing that you did 7 with respect to investigating Mr. Bavis's complaints 8 or Mr. Perry's complaints?</p> <p>9 A. I attempted to contact the other 10 Mr. Perry, who I believe is a foreman in the union, 11 to find out -- they didn't really know Mr. 12 Hosseini's real first name. I believe that he goes 13 by a nickname or something else at work, so they 14 didn't have any real information or any way for me 15 to find him, so I did attempt to contact the other 16 Mr. Perry, who stated that he couldn't help me. He 17 gave me a number in I want to say New Jersey, I 18 believe. I tried to call them. They wouldn't give 19 me any information. This is over the course of time. 20 I then contacted Mr. Bavis and said, 21 "I have no one that can give me any information on 22 this person. I mean, you tell me that he works 23 there, people have confirmed that he works there, 24 but they won't give me his full name or any way of</p>	<p>20</p> <p>1 A. I believe that's who it was for. It was 2 for some other company, so I believe that's who they 3 all worked for.</p> <p>4 Q. And you had contact or you dialed this New 5 Jersey number and you spoke with somebody at GES 6 Exposition Services?</p> <p>7 A. Yes.</p> <p>8 Q. When you called GES -- and I will just use 9 the short term GES for GES Exposition Services. Is 10 that okay?</p> <p>11 A. Yes.</p> <p>12 Q. When you contacted GES in December, early 13 January, the purpose of you calling was to just get 14 the name of Mr. Hosseini and a telephone number so 15 you could speak with 16 Mr. Hosseini?</p> <p>17 A. Yes.</p> <p>18 Q. And when you did speak with someone at GES, 19 what information, if any, did they give you?</p> <p>20 A. None, actually. They just said that 21 somebody else would have to get back to me and that 22 this person wasn't available, this person was out of 23 state and just -- I got the runaround, basically. 24 Q. Did you mention to GES at the time the</p>
<p>19</p> <p>1 getting in touch with him." They gave me the name of 2 someone who might be able to help me. I can't 3 remember his name off the top of my head. His name 4 is in my report, I know. I did call him. He gave 5 me Mr. Hosseini's name and I believe a cell phone 6 and asked me if he could stay out of the 7 investigation he would appreciate it. I said I 8 would see what I could do. I attempted to contact 9 Mr. Hosseini. I contacted his cell phone first.</p> <p>10 Q. What time period are we talking about?</p> <p>11 A. It was between December the 22nd and 12 January 7th because I broke my ankle on January 7th 13 while I was working, and I was out for two months.</p> <p>14 Q. Now, you indicated that you tried to 15 contact a Mr. Perry who worked at the Teamsters. Was 16 that -- did you try to contact Mr. Perry just to 17 identify Mr. Hosseini and get a phone number?</p> <p>18 A. Yes. I was trying to find out his real 19 name and some way to contact him.</p> <p>20 Q. And Mr. Perry told you that he couldn't 21 give you a phone number for Mr. Hosseini, but he 22 gave you a phone number in New Jersey?</p> <p>23 A. Yes.</p> <p>24 Q. Was that for Mr. Hosseini's employer?</p>	<p>21</p> <p>1 nature of your inquiry?</p> <p>2 A. No, I did not.</p> <p>3 Q. And how about Mr. Perry? If I can jump 4 back to your conversation with the supervisor, Mr. 5 Perry. Did you mention the nature of your inquiry 6 to him?</p> <p>7 A. I mentioned that I needed to speak with him 8 regarding some allegations that had been made, if he 9 wanted to have Mr. Hosseini call me I would give him 10 my name and number. He basically said he wasn't 11 getting involved in any of the BS that was going 12 around with the other Perry and that he didn't want 13 to be involved and that he didn't know Mr. 14 Hosseini's real name or telephone number.</p> <p>15 Q. And that supervisor, Mr. Perry, was that a 16 John Perry?</p> <p>17 A. Yes.</p> <p>18 Q. And did Mr. John Perry when he said he 19 didn't want to get involved in the BS with the other 20 Perry, did he say Joe Perry?</p> <p>21 A. I don't remember exactly if he said Joe. I 22 know he said the other Perry.</p> <p>23 Q. Now, had you told John Perry at that time 24 that Joe Perry had come to your office and made a</p>